

TOWN OF CHATHAM
488 State Route 295
Chatham, New York 12037

TOWN BOARD MEETING MINUTES
July 19, 2018
6:00 PM

PRESENT

Supervisor Maria Lull, Councilman Bob Balcom, Councilwoman Landra Haber, Councilman John Wapner, Councilman Kevin Weldon

Supervisor Lull called the meeting to order at 6 PM. Councilwoman Haber led the pledge to the flag.

CORRESPONDENCE

- Letter from Keith Egan, Director of Government Affairs, Charter Communications regarding service upgrades and email on temporary store.
 - Email Karen McGraw & Carol Hegeman Co-chairs of the Village Movement of Northern Columbia County.
 - Letter from Paul Tirums Engineer for Department of Transportation regarding bridge painting project on Route 66 over the Kinderhook Creek.
 - Letter from Karen Murphy, Esq. regarding the proposed Zoning Law.
 - Email from Wendy Carroll regarding proposed Zoning Law.
- *Elizabeth Marks

PUBLIC COMMENT STATEMENT

The Chatham Town Board appreciates information received from the public during the Public Comment portion of each meeting, which often is very helpful in the governance of the Town. It is, however, not intended to be a debate with the public or a question and answer period. Issues raised during the public comment may be addressed by the Board during its regular meeting or by the Supervisor between meetings as necessary. As a courtesy to the other members of the public, there is a 5 minute per person limitation on oral comments for each public comment period. The public is also encouraged to provide the Board with written comments or materials when the subject matter cannot be presented in this time frame. Of course, while the Board discourages any remarks which may be considered defamatory or stigmatizing, it will not restrict the content of the public comment.

PUBLIC COMMENT

None

SUB-COMMITTEE REPORTS

- Report by Councilman Wapner and Councilman Weldon regarding the Recreation & Parks Committee.

Signs are going up for Park Day and they are looking for volunteers. Town Attorney Sal Ferlazzo will be drafting a volunteer release which is “softer” than a “hold harmless” agreement currently in use. Wapner hopes to have volunteers helping with maintenance at the Park.

The Committee is planning to do a survey to get an idea of what people want to see at the Park.

- Report by Councilman Balcom on the meetings of the Citizens Finance and Planning Committee.

Balcom reported that they will meet on the 20th and will be discussing charitable funds and a bond to complete projects at the Park.

- Report by Councilman Balcom on the Comprehensive Plan Implementation Committee.

They will be starting on “subdivisions” which is the last component.

- Report by Councilwoman Haber and Councilman Weldon on Climate Smart Community Committee.

RFPs are out for the heating system at the Town Garage. Wapner wants the system in by this winter.

- Report by Councilwoman Haber on the Communications Committee.

Rippel reported that the template for the new website has been chosen and REVIZE will be moving along with migrating information from the old site to the new.

REPORTS

- Highway Department - on file
- Assessor - on file
- Code Enforcement/Building Inspector
- Dog Control
- Environmental Management Council
- Finance Department Report - on file
- Justice Court - on file
- Office of the Aging Advisory Board
- Recreation Director - on file

Lull reported that the CC DOH has tested the Crellin pond water and it's come back clean. She also stated that the front pavilion would be finished. Lull acknowledged the Town's Highway Department for all their assistance in the Park.

- Supervisor's Report - on file
- Town Accounting firm - Monthly Financial Report & Abstract - on file
- Town Attorney
- Town Clerk - Rippel reported that public comment on the Albany-Hudson Electric Trail will be accepted from July 17th through August 16th.

NEW BUSINESS

- Replacement of Town Hall Roof – bids forthcoming. Lull will ask T. Shaw to seek bids for the project

OLD BUSINESS

- Discussion of proposed new zoning code revisions.

There will be more comments to come on the proposed new zoning and they will have to be reviewed by Stolzenburg and Board. Haber stated that they are all worth considering.

Wapner said that there can't be a public hearing without first hearing all the comments. The idea was to look at the draft tonight. He's read Nans material and he has comments and concerns of his own. Wapner wants to change the Public Hearing date. Lull said that the Board would accept more public comment and then hold another Public Hearing.

A motion was made by Councilman Balcom to accept the July 12, 2018 draft version of the new Zoning Law. Councilwoman Haber seconded the motion. In discussion Lull said they would hold another special meeting after August 2.

Wapner said that he doesn't think the document is done. The Board needs to thoroughly hash things out before it goes to PH.

Balcom said that Stoltenberg had incorporated all the changes, The Board has seen them. Balcom feels that the document is sufficient to go to PH.

Wapner and Weldon were under the impression that Stolzenburg would be attending this evenings meeting. Lull said she had never planned to attend.

Ferlazzo said that at the PH the Board would be listening to the Public. At that point, as a Town resident, Wapner can point out what he doesn't like about the new law. He would hate to see this delayed.

Haber feels that the Board needs to make it clear that this is not written in stone and we will tweak it with input from the residents.

Wapner disagrees with the process. This is complicated and controversial and Stolzenburg needs to be at the meeting.

On a motion by Wapner and second by Weldon the Board agreed to Table the motion to accept the July 12 draft version of the proposed new zoning law. Motion carried.

- Public Hearing date for new zoning code has been set for Thursday, August 2, 2018 at 6 PM at the Tri-Village Fire Company meeting room with Town Land Use Attorney John Lyons and Town Planner Nan Stolzenburg.

- Town signs

There were four vendors: TMK at \$7,800.00 installed, Matts Signs \$6,200.00 no installation, Next Generation \$5,980.00. Lull feels that TMK had the best product and the Town deserves the best.

*There was a proposal from Wemple Landscaping for \$6,700.00, seasonal planting not included.

RESOLUTIONS

Resolution 117-2018 to accept the financial Abstract as present to pay the Town's bills pending review.

Offered by Councilman Weldon and seconded by Councilman Balcom.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 118-2018 to accept the town accountant's financial report of June 30, 2018.

Offered by Councilman Balcom and seconded by Councilman Wapner.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 119-2018 to approve the minutes of the Town Board Meeting(s) of June 21 and July 5, 2018.

Offered by Councilman Balcom and seconded by Councilman Weldon.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 120-2018 to approve the Standard Work Day & Reporting for Elected and Appointed Officials to the New York State & Local Retirement System. Offered by Councilman Balcom and seconded by Councilman Wapner.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 121-2018 authorizing electronic delivery of proposed local laws to Town Board members.

(from Land Use Attorney, John Lyons) Offered by Councilman Balcom and seconded by Councilman Haber.

Whereas:

1. All members of the Town of Chatham Town Board have email addresses for the purpose of conducting Town business.
2. The email addresses of the Town Board members have been posted on the Town of Chatham web site.
3. Section 20, subdivision 4 of the New York State Municipal Home Rule Law (MHRL) provides that a proposed local law may be delivered to Town Board members for final passage via electronic delivery (email) as an attachment in Portable Document Format (PDF) provided that the Town Board has unanimously adopted a resolution authorizing such electronic email delivery.
4. For the convenience of all concerned, the Town Board wishes to authorize the electronic email delivery of proposed local laws in final form for adoption pursuant to State MHRL Section 20, Subdivision 4. Now therefore, be it resolved that:
 - A. The Town Board of the Town of Chatham hereby authorizes the electronic email delivery of proposed local laws in final form for adoption to Town Board

members pursuant to State MHRL Section 20, Subdivision 4.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 122-2018 to accept bid for two new signs for town hall & Crellin Park.

WHEREAS, the Town Board finds it necessary to replace the signs at the Town Hall and Crellin Community Park due to the signs deterioration and damage, and WHEREAS, four sign makers were asked to bid on two carved, double sided signs reflecting the Town Seal illustration, and

THEREFORE, BE IS RESOLVED, that the Town Board has decided to accept the bid from TMK at a cost of \$7,800.00. Offered by Councilman Weldon and seconded by Councilwoman Haber.

Wapner asked where the money would be coming from to which Lull responded that we need a budget appropriation from the contingency fund.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 123-2018 to accept bid for landscaping two new signs for town hall and Crellin Park.

WHEREAS, the Town Board finds it necessary to replace the signs at the Town Hall and Crellin Community Park due to the signs deterioration and damage, and WHEREAS, the new signs will require landscaping, and WHEREAS, the landscaper for the town has been Wemple Landscaping whose bid for the Crellin Park sign landscaping is \$3,530 and for the town hall landscaping for the sign is \$2,820.00, and THEREFORE, BE IS RESOLVED, that the Town Board approves the landscaping plan for Crellin Park sign at \$3,530 and the Town Hall sign at \$2,820.00.

Offered by Councilman Balcom and seconded by Councilman Wapner.

Wapner said that he appreciates Supervisor Lull's focus on Crellin Parks, people really see the difference.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

Resolution 124-2018 approving Town Justices request to attend NYS Magistrate Conference.

WHEREAS, the Town Justices request from the Town Board to attend the NYS Magistrates Annual Conference from September 23 – 26, 2018 wherein the State of New York pays for all transportation to and from the Conference as well as the first night's lodging. The Town is responsible for 2 nights lodging plus the registration fee which totals approximately \$550. WHEREAS, the cost for the conference is included in the Court's 2018 budget. NOW, THEREFORE, BE IS RESOLVED, that the Town Board approves the Justices' request to attend the NYS Magistrates Annual Conference from September 23 to 26, 2018 at an approximate cost of \$550.00. Offered by Councilwoman Haber and seconded by Councilman Weldon.

VOTE

Aye: Lull, Balcom, Haber, Wapner, Weldon Nay: None Resolution adopted

PUBLIC COMMENT

Elizabeth Marks thanked the Board for all they do.

EXECUTIVE SESSION – Town Attorney/Client Privilege

Motion was made by Councilwoman Haber, seconded by Councilman Weldon and carried to enter closed session for attorney client privilege at 7:40PM. Motion was made by Councilman Balcom, second by Councilman Weldon and carried to leave closed session at 8:25PM.

Town Planner Nan Stolzenburg joined the meeting via telephone to discuss changes to the zoning code.

Edit page 54: Weddings - SUP allowed in Business and industrial, in the rest of the districts weddings are not allowed.

Edits to Agri-tourism definition.

Take out “Inns”.

Rooming House wasn't in the Use Table so a standard definition was added.

Balcom stated that Short Term Rental needs to be defined. Treat the permitting process the same across the Board. It needs to be spelled out.

Stolzenburg can't think of any municipality which regulates long-term rentals. She worries about the availability of affordable housing. The issue with STR is that it's a business. Discussion continued on STR Commercial and STR Occasional. Commercial is if the STR is advertised while Occasional is if the STR is rented on a personal basis.

Discussion on signs.

On a motion by Councilman Balcom, second by Councilman Weldon and carried the meeting adjourned at 10:25PM.

Respectfully submitted by,

Beth Anne Rippel,
Town Clerk